

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF SUSPENSION
)	
Certificate of Jamie M. Roberts)	(BREACH OF CONTRACT)
)	
Certificate 194650)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 13, 2008. On February 27, 2008, the South Carolina Department of Education (Department) sent Ms. Roberts notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate resulting from her breach of contract with the School District of Fairfield County (District) for the 2007-2008 school year by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Roberts received the notice on March 4, 2008, as evidenced by a postal receipt bearing her signature. Ms. Roberts contacted the South Carolina Department of Education, Office of General Counsel on February 29, 2008, stating she did not wish to have a hearing in this matter.

After careful deliberation of the evidence presented by the Department, the State Board found that Ms. Roberts breached her contract with the District and voted to suspend Ms. Roberts's educator certificate for a period of one year, commencing May 13, 2008, and ending on May 12, 2009.

FINDINGS OF FACT

This case concerns a formal complaint by the District seeking the suspension of the educator certificate of Jamie M. Roberts. The State Board has jurisdiction of this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann. § 59-25-530 (2004).

Ms. Roberts holds a valid South Carolina educator certificate and has over seven years of teaching experience. Ms. Roberts was employed by the District as an Early Childhood Educational teacher at Kelly Miller Elementary School in Winnsboro, South Carolina, until she requested to be released from her contract effective December 19, 2007.

On November 19, 2007, Ms. Roberts sent a letter to Brenda P. Gilchrist, Principal of Kelly Miller Elementary School, requesting to be released from her 2007-2008 contract effective December 19, 2007. Ms. Roberts noted in the letter to Ms. Gilchrist that she understood her request to be released from her contract may not be honored and that she was prepared to accept the decision of the District with respect to the revocation or suspension of her educator certificate.

On November 26, 2007, Janette Henry-Davenport, Deputy Superintendent, Human Resources and Administration with the District, informed Ms. Roberts by certified mail, return receipt requested, that the District would be unable to release Ms. Roberts from her contract and failure to honor her contract with the District would result in the revocation or suspension of her educator certificate.

On January 7, 2008, Ms. Henry-Davenport sent another letter to Ms. Roberts stating that since Ms. Roberts failed to report to duty on January 3, 2008, the District considered her actions as abandonment of employment. The District stated in the letter that the District had no recourse but to recommend to the Board of Trustees the revocation and or suspension of her teaching credential for abandonment of employment.

On February 27, 2008, Jim Turner, Director of the Department's Office of Educator Certification, sent a notice letter to Ms. Jamie Roberts, by regular and certified mail, return receipt requested, restricted delivery, notifying her that the

State Board would meet to make a determination regarding the possible suspension of her South Carolina educator certificate. Ms. Roberts received the notice on March 4, 2008, as evidenced by a postal receipt bearing her signature.

On February 29, 2008, Ms. Roberts contacted the Department's Office of General Counsel by telephone and acknowledged the notice letter. Ms. Roberts stated she did not want a hearing concerning the possible suspension of her educator certificate.

After careful deliberation of the evidence presented by the Department, the State Board voted to suspend the educator certificate of Ms. Roberts, certificate number 194650, for a period of one year commencing on May 13, 2008 and ending on May 12, 2009.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann. § 59-25-530 (2004). Failure to comply with the provisions of a contract without the written consent of the local school board is deemed to be unprofessional conduct. Upon the formal complaint of the school board, substantiated by conclusive evidence, the State Board shall suspend or revoke the teacher's certificate, for a period not to exceed one calendar year. State education agencies in other states with reciprocal certification agreements shall be notified of the revocation of the certificate. S.C. Code Ann § 59-25-530 (2004); 24 S.C. Code Regs. 43-58.4 (1976). The State Board finds that there is sufficient evidence supporting its conclusion that Ms. Roberts breached her contract with the Fairfield County School District, warranting the suspension of her educator certificate for a period of one year, commencing on May 13, 2008, and ending on May 12, 2009. It is, therefore, ordered that the educator certificate 194650 of Jamie M. Roberts be suspended for a period of one year, commencing May 13, 2008, through May 12, 2009.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 

Al Simpson, Chair

Columbia, South Carolina
May 13, 2008